

Notice of Allowability

Application No.

10/619,314

Examiner

Joseph M. Pelham

Applicant(s)

GARCIA, KRISTY KAILYNN

Art Unit

3742

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amdt filed 6/8/06 and tel. interview of 6/19/06.
2. ☒ The allowed claim(s) is/are 1,3,5-9,11 and 13-35.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Wildenstein on June 19, 2006. The amendments to independent claims 1 and 20 were discussed in detail; their adaptation to the other independent claims has been made in strict conformity to the Examiner's understanding of Applicant's wishes. Again, if any changes are unacceptable, a rectifying amendment may be filed.

The application has been amended as follows:

In claim 1, line 2, following "surface" there has been inserted ---with an upper perimeter lip---;

at line 7, following "rim" there has been inserted ---and with at least one gap---;

also at line 7, "flange" has been deleted and replaced by ---at least one gap---;

at line 8, following "operation" there has been inserted --- and not adapted to form fit the upper perimeter lip---.

Claim 4 has been cancelled.

In claim 6, line 2, following "surface" there has been inserted ---with an upper perimeter lip---;

at line 3, following "surface," there has been inserted ---a top rim and an integrally formed flange with at least one gap---;

at line 6, "liner further having a top" has been deleted and replaced by ---gap---

at line 7, following "operation" there has been inserted --- and not adapted to form fit the upper perimeter lip---.

In claim 9, line 2, "in a plane" has been deleted;

at line 3, "in a plane" has been deleted.

Claim 12 has been cancelled.

In claim 20, line 9, following “adapted to” there has been inserted ---sit upon an upper perimeter lip of the crock pot, ---;

at line 10, “slow cookware” has been deleted and replace by ---crock pot---.

In claim 21, line 5, following “adapted to” there has been inserted ---sit upon an upper perimeter lip of the crock pot, ---.

In claim 25, line 2, following “surface” there has been inserted ---with an upper perimeter lip---;

at line 6, “portion” has been deleted and replaced by --- rim and an integrally formed flange with at least one gap---;

at line 7, following “operation” there has been inserted --- and not adapted to form fit the upper perimeter lip---.

In claim 30, line 2, following “surface” there has been inserted ---with an upper perimeter lip---;

at line 6, the first instance of “portion” has been deleted and replaced by --- rim and an integrally formed flange with at least one gap---;

also at line 6, the second instance of “portion” has been deleted and replaced by --- perimeter lip---;

at line 7, following “operation” there has been inserted --- and not adapted to form fit the upper perimeter lip---.

Drawings

The following changes to the drawings have been approved by the examiner and agreed upon by applicant: the “gap,” the “plurality of ribs,” and the “roll” in the liner flange must be shown. In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: the prior art neither discloses nor suggests a crock pot or slow cookware liner comprising, in combination with the other limitations in the respective independent claims, a flange with at least one gap, or a rollable flange, adapted to sit upon the upper perimeter lip of a crock pot or slow cookware, and which does not form fit the upper perimeter lip. The latter limitation, *not* form fitting the pot lip, specifically excludes the flange structure of

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US Pat. 6,313,446 (as shown in Figure 2); i.e., the recited "gap" is not of the type formed between the edge of the liner and the adjacent region when the edge is folded back on itself so as to form fit the pot lip (region 48 in the figure).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph M. Pelham whose telephone number is 571-272-4786. The examiner can normally be reached on M-F 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robin Evans can be reached on 571-272-4777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

6/21/06

A handwritten signature in black ink, appearing to read 'J. Pelham', written in a cursive style.

JOSEPH PELHAM
PRIMARY EXAMINER